

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

PATRICIA L.
WIESZCIECINSKI,

Plaintiff,

Case No. 14-12159
Honorable Thomas L. Ludington

v.

JOSEPH PERGANDE, and
JACK PERGANDE,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING COMPLAINT WITH PREJUDICE**

On June 2, 2014, Patricia Wieszcicinski filed a complaint alleging wrongful eviction violations by Joseph and Jack Pergande, presumably her landlords. All pretrial matters in the case were then referred to United States Magistrate Judge Patricia Morris pursuant to 28 U.S.C. § 636(b)(1).

On June 10, 2014, Judge Morris issued a report recommending that Wieszcicinski's claims be sua sponte dismissed. Report & Rec. 1, ECF No. 5. Although Judge Morris's report explicitly stated that the parties may object to and seek review of the recommendation within 14 days of service of the report, as of today's date, no party has filed objections. The failure to object to Judge Morris's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Moreover, the failure to file objections to the report waives any further right to appeal. See *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, it is **ORDERED** that Judge Moriss's report and recommendation, ECF No. 5, is **ADOPTED**.

It is further **ORDERED** that the Wieszcicinski's complaint, ECF No. 1, is **DISMISSED** with prejudice. This is a final order and closes the case.

Dated: July 8, 2014

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served Patricia L Wieszcicinski at 601 W. Midland Street, Apt 2, Bay City, MI 48706 by first class U.S. mail on July 8, 2014.

s/Tracy A. Jacobs
TRACY A. JACOBS